

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION – CINCINNATI**

NATHANIEL D. RICE,	:	Case No. 1:21-cv-611
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	Magistrate Judge Stephanie K. Bowman
	:	
vs.	:	
	:	
SHERIFF RICHARD K. JONES, et al.	:	
	:	
Defendants.	:	

**ORDER ADOPTING REPORT AND RECOMMENDATION (Doc. 12),
OVERRULING OBJECTION, RECOMMENDATION (Doc. 7), AND
TERMINATING CASE FROM DOCKET**

The Court has reviewed the Report and Recommendation (Doc. 12) of United States Magistrate Judge Stephanie K. Bowman, to whom this case is referred pursuant to 28 U.S.C. § 636(b). In the Report, Judge Bowman recommends dismissing the claims against Defendant State Troopers with prejudice for failure to state a claim. The Report also recommends dismissing the remaining claims without prejudice to re-file a separate action or actions including those claims. Plaintiff filed objections to the report. (Doc. 15.)

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a de novo review of the record in this case. Upon such review, the Court finds that Plaintiff's Objections are not well-taken and are accordingly **OVERRULED**. The Court **ADOPTS** the Report and Recommendation in its entirety. The Court orders as follows:

- (1) **DISMISSES WITH PREJUDICE** Plaintiff's claims against Defendant State Troopers;
- (2) **DISMISSES WITHOUT PREJUDICE** all remaining claims;
- (3) **DENIES AS MOOT** the motion for preliminary injunction and/or a temporary restraining order;
- (4) **CERTIFIES** pursuant to 28 U.S.C. § 1915(e)(2)(B) that for the reasons in the Report, any appeal of this Order would not be taken in good faith and accordingly **DENIES LEAVE** to Plaintiff to appeal *in forma pauperis*. See *McGore v. Wigglesworth*, 114 F.3d 601 (6th Cir. 1997); and
- (5) **TERMINATES** this case from the docket.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

By: 
JUDGE MATTHEW W. McFARLAND